

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Disciplinary action initiated against Sri D.Vijayakumar Devadas, as per the orders of APAT in OA No.8878/2010 filed by him for involving certain irregularities in payment of Ex-gratia pertaining to Kadiri, Brahmanapalli, Village, Kadiri Mandal, Ananthapur District - Retired from service on 31.07.2010 - Articles of Charges issued - Filed WP No.10964/2012 before the Hon'ble High Court for releasing of pensionary benefits - Expired on 21.06.2014 - Further action abated - Orders issued .

REVENUE (VIG.III) DEPARTMENT

G.O.Ms No.135.

Dated.15. 04.2015.

Read the following:

- 1.Hon'ble APAT orders dt.21.01.2012 in OA No.8878/2010 with VMA No. 151/2011 filed by Sri D.Vijayakumar Devadas, Deputy Tahsildar (Retd).
- 2.Dist. Collector, Ananthapur Lr Rc No.A1/6874/2010, dated.21.03.2011.
- 3.G.O.Rt No.550, Rev(Vig.VI) dept., dated.10.04.2012.
- 4.Govt. Memo No.5177/Vig.VI(2)/2012-3, dated.18.04.2012.
- 5.Hon'ble High Court orders dt.20.04.2012 in WP No.10964/2012 filed by Sri D.Vijayakumar Devadas, Dy. Tahsildar(Retd)
6. Hon'ble High Court orders dt.30.03.2015 in WP No.10964/2012 filed by Sri D.Vijayakumar Devadas, Dy. Tahsildar (Retd)
- 7.Dist. Collector, Ananthapur Lr Rc No.A1/6874/2010, dated.08.04.2015.

Whereas it was brought to the notice of the Govt. that Sri D.Vijayakumar Devadas, while he was working as Deputy Tahsildar, Kadiri has committed certain irregularities in payment of compensation /exgratia towards acquiring land for Reservoir purpose pertaining to Kadiri Brahmanapalli Village of Kadiri Mandal, and he was retired from service on 31.07.2010.

2. And whereas the District Collector, Ananthapur has issued show cause notice to Sri D.Vijaykumar Devadas, Dy.Tahsidlar(Retd) for the said irregularities. Aggrieved by the above orders, Sri D.Vijaykumar Devadas, Dy.Tahsidlar(Retd) filed O.A.No.8878/10 for releasing of his pensionary benefits. The Hon'ble Tribunal in its order dt.21.01.2012 in O.A.No.8878/2010 with VMA.No.151/2011, directed to the first respondent (Govt.) to initiate disciplinary proceedings under the Andhra Pradesh Revised Pension Rules and complete the enquiry within a period of nine months from the date of receipt of a copy of this order. Further, the Hon'ble APAT has directed the respondents to pay provisional pension to the applicant till conclusion of the disciplinary case.

3. And whereas in compliance to the court orders, Govt. have framed the following articles of charges against Sri D. Vijay kumar Devadas, Dy.Tahsidlar(Retd) for his irregularities in payment of ex-gratia/compensation pertaining to Kadiri Brahmanapalli Village of Kadiri Mandal vide G.O.Rt No.550, Rev(Vig.VI) Dept., dt.10.04.2012.

(PTO)

CHARGE-I:

That Sri D.Vijayakumar Devadas, while working as Deputy Tahsildar, O/o Tahasildar, Kadiri (now retired) has issued D-Form pattas, copies of adangal, genuineness certificates in respect of the lands in Sy.Nos. 636-2, 681, 679, 749, 736-3, 638, 635, 637, 693, 694, 790 of Kadiri Brahmanpalli village in Kadiri Mandal without verifying original records and made payment of Rs.17,72,550/- to the following (7) proposers irregularly towards land compensation:

CHARGE-II:

That Sri D.Vijayakumar Devadas, while working as Deputy Tahsildar, O/o Tahasildar, Kadiri (now retired) has attested the D-Form Pattas, True copies of Adangal and genuiness certificate (14 column statement) relating to the lands in Diguvaipalli H/o Eguvaipalli village of Kadiri Mandal duly mentioning the names of the following beneficiaries, Sy.Nos, Extent etc. though they are not pattadars and enjoyers though it is Government land, and mislead the Special Deputy Collector, SRBC, Nandyal and caused for irregular payment of exgratia to a tune of Rs.18,60,300/- to the following beneficiaries:

4. The articles of charges served to the Charged Officer on 04.06.2012, but he did not submit his written statement of defense.

5. In the reference 4th read above the Dist. Collector, Ananthapur has been requested to sanction and pay the provisional pension to Sri D.Vijayakumar Davadas, Dy.Tahsildar(Retd). Accordingly, the District Collector has sanctioned the Provisional Pension to A.O. With effect from his date of retirement i.e., 31.05.2010.

6. And whereas, the Charged Officer, without submitting the Written Statement of defense has filed the W.P.No.10964/2012 against the judgment of the Hon'ble APAT dated 24.01.2012 in OA.No.8878/2010 and also the proceedings Rc.No.A1/6874/2010, dated.25.08.2010 issued by the Dist. Collector, Ananthapuram, and the Hon'ble Court was pleased to grant interim suspension of the proceedings and admitted the same. The Collector, Anathapur has filed stay vacation petition along with counter affidavit before the Hon'ble High Court. In the meantime, the petitioner namely Sri D. Vijaya Kumar Devadas was expired and L.R. petition was also filed by the counsel for the petitioner. Further, the Hon'ble High Court in its orders dated 30.03.2015 has issued the following orders.

"the 1st respondent shall cause an enquiry in this regard and submit a report to this court within two(2) weeks from today furnishing details of the benefits which a retired Govt. servant is entitled to, the retirement benefits which can be withheld by the Govt. and source of power to do so, the reasons for the withholding the said amount, and the reasons for non payment thereof. In case nonpayment is on account of the negligence of any officer, the 1st respondent shall inform this court of the action which would be taken against the individual concerned. The report shall be placed before this court before 13.04.2015. The presence of the 1st respondent is dispensed with."

7. And whereas a detailed report was obtained from the Collector, Ananthapur in the matter and submitted the same before the Hon'ble Court. Further, Government, have examined the disciplinary case of deceased employee in terms of G.O.Ms.No.85, Finance & Planning (Fin. Wing-Pen-I) Dept., Dt.12.7.1999 read with G.O.Ms.No.995, Dt.21.12.2002

(P.T.O)

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and decided to abate further disciplinary action against the deceased employee Sri D.Vijayakumar Devadas, Dy.Tahsildar(Retd) and to release the pensionary benefits to the legal heir of the deceased employee.

8. Accordingly, Government hereby order to abate further disciplinary action against Late D. Vijayakumar Devadas, Dy. Tahsildar (Retd) and to release the pensionary benefits to the legal heir of the deceased employee.

9. The District Collector, Ananthapur/ Chief Commissioner of Land Administration, A.P., Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To

The legal heir of Late D.VijayaKumar Devadas, Dy. Tahsildar(Retd)
through the Dist. Collector , Ananthapur.

The District Collector, Ananthapur.

The Chief Commissioner of Land Administration, A.P. , Hyderabad

The Accountant General, AP, Hyderabad

The Government Pleader for services, High Court, of AP, Hyderabad
SF/SC

//Forwarded by Order//

SECTION OFFICER.